

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

MICHAEL JEROME SMITH,
Appellant.

No. 2 CA-CR 2016-0038
Filed June 15, 2016

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.24.

Appeal from the Superior Court in Pinal County
No. S1100CR201501764
The Honorable Bradley M. Soos, Judge

AFFIRMED

COUNSEL

Lynn T. Hamilton, Mesa
Counsel for Appellant

STATE v. SMITH
Decision of the Court

MEMORANDUM DECISION

Chief Judge Eckerstrom authored the decision of the Court, in which Presiding Judge Vásquez and Judge Miller concurred.

ECKERSTROM, Chief Judge:

¶1 Following a jury trial, appellant Michael Smith was convicted of possession of a dangerous drug and possession of drug paraphernalia. The trial court found he had two or more historical prior felony convictions and sentenced him to enhanced, concurrent, presumptive prison terms, the longer of which is ten years.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), stating she has reviewed the record and has found no non-frivolous issues to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, she has provided “a detailed factual and procedural history of the case with citations to the record,” and she asks this court to search the record for error. Smith has not filed a supplemental pro se brief.

¶3 We view the evidence in the light most favorable to sustaining Smith’s convictions, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), and conclude sufficient evidence supports the jury’s verdicts. *See* A.R.S. §§ 13-3407(A)(1), 13-3415(A). On the evening of June 5, 2015, a Florence police officer initiated a traffic stop after seeing Smith, who was the subject of an active arrest warrant, illegally driving an all-terrain vehicle on city streets. Smith was arrested, and a packet of methamphetamine and a methamphetamine pipe were found on his person during a search incident to his arrest. We further conclude Smith’s sentences were authorized by statute and were properly imposed. *See* A.R.S. §§ 13-703(C), (J), 13-3407(B)(1), 13-3415(A).

STATE v. SMITH
Decision of the Court

¶4 In our examination of the record, we have found no reversible error and no arguable issue warranting further appellate review. *See Anders*, 386 U.S. at 744. Accordingly, we affirm Smith's convictions and sentences.